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6 Attorneys for Defendant
7 Audience Entertainment LLC

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11 TIMEPLAY, INC., a Canadian
12 corporation,

13 Plaintiff,

14 v.

15 AUDIENCE ENTERTAINMENT
16 LLC, a Delaware Limited Liability
Company,

17 Defendant.

Case No. 2:15-cv-05202-SJO-JC

**DEFENDANT'S NOTICE OF MOTION
AND MOTION TO DISMISS FOR
LACK OF PATENTABLE SUBJECT
MATTER**

Date: October 19, 2015

Time: 10:00 am

Ctrm: 1

Judge: Hon. S. James Otero

1 PLEASE TAKE NOTICE THAT at 10:00 a.m. on October 19, 2015, or as soon
2 thereafter as may be heard, before The Honorable S. James Otero, in Courtroom 1 in the
3 United States District Court for the Central District of California in Los Angeles,
4 California, Defendant Audience Entertainment LLC (“Audience Entertainment”) will and
5 hereby does moves this Court, in accordance with Fed. R. Civ. P. 12(b)(6), dismissing the
6 case against Defendant, filed on July 9, 2015.

7 The grounds for this motion include that the patents-in-suit are directed to an
8 abstract idea and do not contain an inventive concept sufficient to transform the claimed
9 abstract idea into a patent-eligible application.

10 The motion is based upon this Notice and Motion, the attached Memorandum of
11 Points and Authorities, the pleadings and records on file in this action, and upon any
12 additional evidence and argument that may be presented before or at the hearing of this
13 motion.

14 This motion is made following the conference of counsel pursuant to L.R. 7-3.
15 Counsel met and conferred in person on August 27, 2015 but were unable to reach an
16 agreement as to the subject matter eligibility of the claims of the asserted patent.

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18 Dated: September 3, 2015

DURIE TANGRI LLP

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20 By: /s/ Sonal N. Mehta
SONAL N. MEHTA

21 Attorneys for Defendant
22 Audience Entertainment LLC
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CERTIFICATE OF SERVICE

I, hereby certify that on September 3, 2015 the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing to the attorneys of record in this case.

/s/ Sonal N. Mehta
SONAL N. MEHTA